RETIRED OFFICERS ASSN.

BULLETIN

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THE FOLLOWING INFORMATION WAS NOT AVAILABLE FOR INCLUSION IN THE LAST BULLETIN AND WILL BE NO LONGER TIMELY UPON PUBLICATION OF THE NEXT REGULAR ISSUE. ITS PROMULGATION IN THIS EXTRA EDITION IS THEREFORE DEEMED OF PARAMOUNT IMPORTANCE TO OUR MEMBERSHIP.

DISABILITY RETIREMENT STUDY

Some anxiety and concern on the part of retired officers naturally results from recent press dispatches outlining the findings of the Legal Sub-committee of the House Committee on Armed Services, with respect to its Report of Investigation of Physical Disability Retirement of officers of the Army, Navy and Marine Corps.

Included among the recommendations contained in this report are:

(a) That all Regular and non-Regular military personnel who were physically retired or granted disability retirement from 1 January 1944, to 1 January 1948, be examined by the respective services of which they were a member.

(b) That all persons whose disability is obviously permanent in nature, or who have suffered their disability as a result of combat with an enemy of the United States, or through the explosion of an instrumentality of war, be exempted from such reexamination.

(c) That all retired Regular officers who shall have recovered from their disability, as determined by a reexamination shall be returned to the active list in their last active duty grade.

(d) That the retirement certification of all non-Regular officers who shall have recovered from their disability, as determined by a reexamination, be withdrawn.

(e) That all examination contemplated under this recommendation be conducted by a panel group which shall include equal numbers of both Regular and non-Regular medical personnel.

In commenting upon the tax exemption feature of present physical disability retirement laws, a further recommendation is made to the effect that, with the possible exception of those officers who have become disabled as a result of wounds suffered in combat with an enemy of the United States or as a result of the explosion of an instrumentality of war, the present tax exemption of disability pay of Regular and non-Regular officers of the Military Establishment, be removed.

In conclusion of its proceedings, this committee suggests: (1) a modification of existing law, or (2) the creation of a new retirement system which restricts retirement to career personnel, such statute to establish the number of years necessary to constitute a military career, and to compensate disability of non-career personnel on a percentage-of-disability basis.

As will be recalled from information contained in the previous issue of this bulletin, the committee was not charged with the preparation of legislative proposals; it was merely charged with the duty of making an investigation and submitting a report thereon. This it has done. The report now rests with the Sub-committee on Retirement of the House Committee on Armed Services, of which the Hon. Leroy Johnson, Member of Congress from California, is Chairman. It will be the function of Congressman Johnson's committee to consider such specific legislation as may be deemed necessary or desirable.

It appears doubtful, however, that any bill will be reported out in the present session, since so little time remains before final adjournment of the 80th Congress. Even if a bill were to be reported and passed by the House, there is reason to believe that time would not permit action thereon by the Senate.

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ENTERED AS SECOND CLASS MATTER, MAY 2, 1945, AT THE POST OFFICE AT WASHINGTON, D.C., UNDER THE ACT OF MARCH 3, 1879.

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It is with sincere sorrow and regret to announce the death of Brigadier General Rufus Lane, U.S. Marine Corps, Retired, on 20 April 1948, who so faithfully and capably served as a member of our Board of Directors.

The Association joins the Nation in mourning the passing of this distinguished officer, and extends heartfelt sympathy to his family.

DISABILITY RETIREMENT STUDY - (Continued)

If and when such legislation is finally passed, belief is entertained that no provisions will be contained, requiring reexamination of those who were retired because of physical disability, prior to its enactment.

It is interesting to note, in this connection, that the general tenor of the committee's report follows closely the philosophy of our President, Admiral Hamlet, in his presentment of the Association's views, quoted in full in the First Quarter issue of this bulletin, wherein he stated, in part:

> *"When retirement comes, most retired officers and their families establish themselves in localities of their choosing and many of them purchase homes. Many make arrangements to educate their children if they have sufficient funds to do so. In short, they mold their lives to their retired situation and have always had every assurance that their retired pay would not be reduced during the remainder of their lives. To reduce retired pay or change their status now would in a great many cases result in loss of homes, inability to continue mortgage payments, removal of children from educational institutions and otherwise disrupt the lives of many upon whom the Nation relied for its protection during the recent war."*

Acceptance of these views is reflected in the wording found in Section IV, page 6043, of the committee's report, as follows:

> *"Most physically disabled officers, particularly the younger non-Regulars, whose average age is 35, have acquired homes, increased their families and have incurred other substantial long-term obligations on the assumption that their retirement pay will not be interrupted. We recognize the moral obligation and, except for removing the present income tax exemption, would not disturb the retired or retirement pay of those who have been legitimately retired or granted retirement pay."*

The opinion of many is that, except for the possible withdrawal of tax exemption, it is not likely that there will be any legislative proposals to reduce in any substantial degree the rights and benefits now enjoyed by officers presently retired by reason of physical disability will, in any substantial regard, be disturbed; certainly not in this session of Congress, if at all.

CADET-MIDSHIPMAN PAY, RETIREMENT

On 5 March 1948, our Executive Vice President and Legal Counsel, Captain Willenbucher, appeared before the Sub-committee of the Senate Committee on Armed Services in behalf of the views of the Association in support of appropriate legislation to authorize credit for service as a Cadet, Midshipman, or Aviation Cadet (regular and reserve), in all military services, for pay, longevity and retirement purposes.

Briefly, the Association feels, and has so forcefully expressed itself, that the crediting of service as Cadet, Midshipman, or Aviation Cadet, as provided in the bill, S. 657, now pending, to be not only a just and deserving recognition for the active military service performed in such status, but would improve vastly the morale of those who have, are now, or may later render such service, with all its attendant hazards, preparatory to fitting themselves to assume greater and more important responsibilities in connection with the National Defense.

This bill (S. 657) was passed by the Senate on 26 April 1948. It provides that service as a Cadet, Midshipman, or Aviation Cadet shall be credited for pay purposes, but may not be used in computing length of service to attain presently existing 20 or 30 year retirement periods.

On 6 May 1948, Captain Willenbucher appeared before the Sub-committee of the House Committee on Armed Services, advocating the interest of this Association in the provisions of this legislation. Following his appearance, word has been received to the effect that the Sub-committee, of which Congressman William W. Blackney of Michigan is Chairman, has decided to recommend favorably upon this bill.

S. 657 was favorably reported to the House by the House Armed Services Committee on 11 May 1948, and has been placed on the Consent Calendar. Action by the House on this measure may be expected soon, and the prospect for its final passage appears bright.

ARMY-NAVY NURSES - RETIREMENT

The President on 7 May 1948, signed H.R. 4090, to equalize retirement benefits among members of the Army-Navy Nurse Corps, thus establishing Nurses heretofore retired as officers of the Services from which retired. This new law becomes effective as to pay increase from 1 June 1948.

Special notice was sent to all Nurse Corps members the same date the President's signature was affixed to the above mentioned bill, in which request was made that they advise the Association, by return card furnished, as to their new rank under its provisions.

(Editor's Note: Our Association has been very much interested in this legislation throughout the course of its consideration, and has vigorously recommended its enactment).

FEDERAL INCORPORATION-RETIRED OFFICERS ASSOCIATION

At the request of the Association, companion bills, S. 2615 and H.R. 6431, were introduced in the 80th Congress on 5 May 1948, to provide for Federal Incorporation of the Retired Officers Association. If this measure is passed, the character, management and powers of the Association will remain unchanged. What it will accomplish is the authority of the Association to appear before the Veterans Administration to represent the interests of our members and their widows, individually. Without federal incorporation, veteran's organizations may not become recognized to represent claimants before the Veterans Administration, under the present regulations of the Administrator of Veterans Affairs.

Needless to say, either the enactment of this legislation, or recognition by the Administrator of Veterans Affairs will be of tremendous assistance to the Association in furthering the personal service we render our membership.

NAVY RELIEF SOCIETY-ANNUAL CALL FOR CONTRIBUTIONS

Navy officers' wives comprising the volunteer staff of the District of Columbia Auxiliary, Navy Relief Society, are actively engaged in their appeal for contributions from the retired personnel in this area. This appeal for funds, in commemoration of the Battle of the Coral Sea and the Battle of Midway, covers the period 4 May to 6 June 1948.

Invitations have been issued to visit the District of Columbia Auxiliary at which time the volunteer staff will be pleased to explain the current methods and procedures.

The Navy Relief Society aids regular Naval and Marine Corps personnel, their Reserves when on active duty, their dependents and dependents of deceased personnel of the Naval Service.

To continue to meet the emergency needs of Navy men and their dependents, the Society estimates that $300,000.00 must be raised during this period. Of this amount, the goal for the District of Columbia Auxiliary is $22,000.00.

Retired Naval personnel, those in inactive duty and friends of the Navy may forward contributions to the District of Columbia Auxiliary, Navy Relief Society, Room 1077, Navy Department, Washington 25, D.C.

ARMY AND AIR FORCE VITALIZATION AND RETIREMENT EQUALIZATION ACT OF 1948

Mention was made in the preceding issue of this bulletin regarding the status of the bill, H.R. 2744, providing that Army officers be given the same opportunities for retirement in the highest temporary rank as is now afforded officers of the Navy, Marine Corps and Coast Guard and, in addition, proposing career retirements for reserve officers of the military services.

As indicated, this measure was passed by the House on 10 March 1948, and was referred to the Senate Committee on Armed Services. Hearings thereon by the Sub-committee of the Senate Committee on Armed Services are expected to be held in the very near future.

If and when this bill is brought up for consideration by the Senate Armed Services Committee, this Association is fully prepared to lend its endorsement, strongly favoring those features of the bill having to do with a more equitable system of retirement for Army officers, comparable to the retirement benefits now enjoyed by officers of the other military services, in substantially the same manner as were the Association's recommendations submitted during the progress of hearings before the House Armed Services Committee.

As previously stated, there appears a reasonable expectation that this measure will be given a "fair wind" in the Senate Committee on Armed Services.

This bill, if enacted, in addition to providing retirement for Army and Air Force officers in the highest temporary rank held satisfactorily, will provide opportunity for those Army officers prematurely retired under Public Law 190, to have their cases reconsidered. It also provides what appears to be an equitable procedure for the elimination of officers from the active lists of the Army and Air Force who cannot meet the requirements for active service. The proposed plan, here discussed, would supersede Class "B" and Public Law 190 procedures.

Title III of the bill proposes to setup a retirement system for career reservists. This Association favors the establishment of such a retirement system, and has heretofore voiced its support of this proposal and, will again do so during the hearings before the Senate Armed Services Committee, shortly to be held.

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